

DRAFT

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

ANAHEIM GARDENS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 93-655C
)	(Judge Tapp)
THE UNITED STATES,)	
)	
Defendant.)	

JOINT STATUS REPORT

Pursuant to the Court's December 13, 2023 order (ECF No. 736 at 2), plaintiffs, Anaheim Gardens, *et al.* (specifically, the Second-Wave Plaintiffs (SWPs)), and defendant, the United States, respectfully provide the following joint status report regarding the parties' discovery efforts since the filing of their March 17, 2025 joint status report.

1. Since the filing of the parties' March 17, 2025 joint status report, the parties have been preparing to make the expert disclosures by the current deadline of April 24, 2025.

2. In addition to these discovery efforts, counsel for the United States and counsel for SWPs have been engaged in a review of the deposition testimony and documents produced by plaintiffs and by the United States for purposes of trial preparation.

3. On March 25, 2025, counsel for the United States prepared and filed a response to first-wave plaintiffs' (FWPs) motion for reconsideration, ECF No. 823, as directed by the Court. ECF No. 820. On March 31, 2025, counsel for the SWPs filed a motion, ECF No. 824, requesting permission to file a reply brief in connection with their motion for reconsideration, which was granted by the Court. ECF No. 828. Counsel for the SWPs are engaged in preparing that reply brief.

4. On April 9, 2025, the parties filed a joint status report with a list of active plaintiffs. ECF No. 830.

5. On April 15, 2025, the United States filed an unopposed motion for an enlargement of time in which to complete expert discovery. ECF No. 831.

6. The United States has been preparing motions for summary judgment related to the claims of specific SWPs, which it intends to file shortly.

Respectfully submitted,

s/ Harry J. Kelly
Harry J. Kelly
NIXON PEABODY LLP
799 9th Street N.W., Suite 500
Washington, D.C. 20001
(202) 585-8000
hkelly@nixonpeabody.com

Attorneys for Plaintiffs

YAAKOV M. ROTH
Acting Assistant Attorney General

PATRICIA M. McCARTHY
Director

s/ Franklin E. White, Jr.
FRANKLIN E. WHITE, JR.
Assistant Director

s/ Amanda L. Tantum by
s/ A. Bondurant Eley
AMANDA L. TANTUM
EMMA E. BOND
Senior Trial Counsel
A. BONDURANT ELEY
Senior Litigation Counsel
JOSHUA W. MOORE
TATE N. WALKER
BRITTNEY M. WELCH
Trial Attorneys
Commercial Litigation Branch
Civil Division, Department of Justice
P.O. Box 480, Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 616-8131
E-mail: amanda.tantum@usdoj.gov

April 16, 2025

Attorneys for Defendant